

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA  
COURT FILE NO.: CV - \_\_\_\_\_**

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Sandra Simon,

Plaintiff,

v.

Midwest Legal Network, Inc. d/b/a A Pair  
A Legals Legal Service,

Defendant.

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**COMPLAINT**

**JURY TRIAL DEMANDED**

**JURISDICTION**

1. Jurisdiction of this Court arises under 28 U.S.C. § 1331, and pursuant to 15 U.S.C. §1681 et seq.
2. This action arises out of Defendant's violations of the Fair Credit Reporting Act, 15 U.S.C. § 1681 et seq. ("FCRA").

**PARTIES**

3. Plaintiff Sandra Simon is a natural person who resides in the City of Delano, County of Wright, State of Minnesota, and is a "consumer" as that term is defined by 15 U.S.C. § 1692a(3).
4. Defendant Midwest Legal Network Inc. d/b/a A Pair A Legals Legal Service (hereinafter "Defendant") is a corporation that does business in the State of Minnesota and is a "furnisher of information" as that term is used in 15 U.S.C. § 1681s-2(b).

**FACTUAL ALLEGATIONS**

5. Plaintiff obtained a copy of her CSC Credit Services ("CSC") credit report on November 13, 2007, and discovered that that an entity that CSC reported as "A PAIR A LEGALS LEGAL SERVICES" had obtained a copy of her credit report on May 4, 2007.
6. Plaintiff had never applied for credit, sought employment, tried to obtained insurance or submitted an application for housing with Defendant at any time.
7. Defendant had no permissible purpose to obtain and use her CSC credit report on May 4, 2007, in violation of 15 U.S.C. § 1681b.
8. Upon information and belief, the contact address information that Defendant provided to CSC was inaccurate and false.
9. Moreover, Defendant intentionally did not use its real name of Midwest Legal as it attempts to hide its identity from consumers.
10. When Plaintiff contacted CSC in an attempt to gain additional information on who exactly Defendant was, her husband was told that Defendant "Midwest Legal" had certified to CSC that the purpose of the obtaining and using of Plaintiff's credit report was for a loan.
11. Defendant's violation of 15 U.S.C. § 1681b was intentional and entitles Plaintiff to statutory and punitive damages in addition to her attorney fees and costs pursuant to 15 U.S.C. § 1681n.

**TRIAL BY JURY**

12. Plaintiff is entitled to and hereby requests a trial by jury. US Const. Amend. 7.  
Fed. R. Civ. P. 38.

**CAUSE OF ACTION**

**COUNT I.**

**VIOLATION OF THE FAIR CREDIT REPORTING ACT –**

**15 U.S.C. § 1681b**

13. Plaintiff incorporates by reference all preceding paragraphs as though fully stated herein.
14. Defendant willfully violated 15 U.S.C. §1681b(f) when it obtained Plaintiff's consumer credit file without a permissible purpose.
15. Plaintiff is therefore entitled to recover actual damages under 15 U.S.C. §§ 1681n and 1681o.
16. Defendant's conduct, actions and inaction were willful, rendering it liable for punitive damages in an amount to be allowed by the Court pursuant to 15 U.S.C. § 1681n.
17. Plaintiff is entitled to recover costs and attorney's fees from Defendant in an amount to be determined by the Court pursuant to 15 U.S.C. §§ 1681n and 1681o.

**WHEREFORE**, Plaintiff prays that judgment be entered against Defendant for:

- a. statutory and punitive damages in an amount to be determined at trial  
against all Defendant;

- b. costs and reasonable attorney fees pursuant to 15 U.S.C. § 1681 *et seq.*  
against all Defendant; and
- c. other and further relief as the Court may deem just and proper.

Dated this 30th day of September, 2008.

Respectfully submitted,

By: s/Thomas J. Lyons, Jr  
**CONSUMER JUSTICE CENTER, P.A.**  
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**ATTORNEY FOR PLAINTIFF**

**VERIFICATION OF COMPLAINT AND CERTIFICATION BY PLAINTIFF**

STATE OF MINNESOTA                     )  
  ) ss.  
COUNTY OF Wright                   )

Sandra Simon, having first been duly sworn and upon oath, deposes and says as follows:

1. I am the Plaintiff in this civil proceeding.
2. I have read the above-entitled civil Complaint prepared by my attorney and I believe that all of the facts contained in it are true, to the best of my knowledge, information and belief formed after reasonable inquiry.
3. I believe that this civil Complaint is well grounded in fact and warranted by existing law or by a good faith argument for the extension, modification, or reversal of existing law.
4. I believe that this civil Complaint is not interposed for any improper purpose, such as to harass any Defendant, cause unnecessary delay to any Defendant, or create a needless increase in the cost of litigation to any Defendant, named in the Complaint.
5. I have filed this civil Complaint in good faith and solely for the purposes set forth in it.

s/Sandra Simon

Sandra Simon

Subscribed and sworn to before me  
this 15th day of September, 2008.

s/Cindy K. Doran

Notary Public